

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action.

#### ***Claim Rejections - 35 USC § 101***

Claims 17-22, 27-29, 37, 38 and 41 were rejected as being directed to non-statutory subject matter. Claims 17-22, 27-29, 37, 38 and 41 have been canceled.

#### ***Double Patenting***

Claims 1, 3, 9, 11, 17 and 19 were rejected on the ground of nonstatutory obviousness-type double patenting based on U.S. Patent No. 6,684,399 in view of Zigmond. A terminal disclaimer is enclosed to overcome the double patenting rejection.

The remaining pending claims depend from either claim 1 or claim 9.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ACER-45265.

Respectfully submitted,  
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